

Matthew S. Hale, Esq.  
HALE & ASSOCIATES  
Calif. State Bar No. 136690  
45 Rivermont Drive  
Newport News, VA 23601

Mailing Address:  
P.O. Box 1951  
Newport News, VA 23601

Telephone No. (757) 596-1143  
E-Mail: matthale@verizon.net

Attorney for Plaintiffs, DAVID J. LEE and  
DANIEL R. LLOYD

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

DAVID J. LEE and DANIEL R. LLOYD,  
as individuals and, on behalf of others  
similarly situated,

Plaintiffs,

vs.

CHASE MANHATTAN BANK U.S.A.,  
N.A., a Delaware corporation, CHASE  
MANHATTAN BANK U.S.A., N.A. d.b.a.  
CHASE BANK U.S.A., N.A., JPMORGAN  
CHASE & CO., a Delaware corporation;  
and DOES 1, through 100, inclusive,

Defendants.

Case No.: C 07-4732 MJJ

PLAINTIFFS' [PROPOSED] ORDER RE:  
REQUEST FOR JUDICIAL NOTICE

[REQUEST FOR JUDICIAL NOTICE,  
AND MEMORANDUM OF POINTS &  
AUTHORITIES, FILED  
CONCURRENTLY]

DATE: January 29, 2008

TIME: 9:30 a.m.

CTRM: 11

19<sup>th</sup> Floor

450 Golden Gate Ave.

San Francisco, Ca. 94102

**ORDER**

After considering the written submissions of counsel, and all other matters presented to the Court, relative to the request for judicial notice, pursuant to Fed.R.Evid. 201, filed by Plaintiffs, David J. Lee, and Daniel R. Lloyd, IT IS HEREBY ORDERED that:

Plaintiffs' Motion is GRANTED, and that Court shall take judicial notice of the following: (1) the Complaint filed in Lee v. American Express Travel Related Services Company, Inc., docket number C-07-4765 (CRB) (N.D. Cal. Sept. 9, 2007); and (2) the hearing transcript relative to the Defendants' motion to dismiss in Lee v. American Express Travel Related Services Company, Inc. argued before Judge Charles H. Breyer on Friday, November 30<sup>th</sup> 2007.

DATED: January \_\_\_\_, 2008

By: \_\_\_\_\_  
Hon. Martin J. Jenkins  
Judge U.S. District Court  
Northern Dist. California